

Sand Creek Community Schools

Regular Board Meeting

October 18, 2021

Q&A

1. **Health Department Authority**: What authority does the local health department have to issue quarantines and to require school districts to report close contacts?

*The local health department authority in this area is specified under Michigan Administrative Rules 325.174 and 325.175. **Michigan Administrative Rules are promulgated under the Michigan Administrative Procedures Act as authorized by implementing legislation for the applicable state agency, here, the Michigan Department of Health and Human Services.** These rules apply to our local health department, operating under the Michigan Department of Health and Human Services.*

***Michigan Administrative Rule 325.174** requires school districts to provide medical, epidemiologic, and other information pertaining to individuals who were potentially exposed to a designated condition when such is requested of them by an investigator of the local health department or the Michigan Department of Health and Human Services.*

***Michigan Administrative Rule 325.175** authorizes a local health officer to exclude from school attendance any person lacking documentation of immunity or otherwise considered susceptible to a communicable disease if the local health officer believes that such is necessary as a disease control measure until such time as the local health officer deems there to be no likely further risk of disease spread. R 325.175(4).*

2. **FAPE (Free Appropriate Public Education):** What is FAPE and how does it apply to quarantined students with IEPs ? Does the school district have potential liability for students on health department issued quarantines?

FAPE is the acronym for Free and Appropriate Public Education and is required by two federal disability rights laws – the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973. Our IEPs and 504 plans include accommodations, programming, and related services that apply to both the in-person and remote environment.

Analysis of District liability for related to a student’s IEP or 504 plan is fact-specific and depends on many circumstances. Guidance received from both the District’s legal counsel and insurance carrier states that as long as the District accommodations, programming, and related services pursuant to the IEP or 504 plan during remote learning, then no liability arises. The District’s requirement to provide FAPE can be met for students who have been quarantined by the health department, by providing lessons and assignments, along with IEP and 504 plan accommodations, programming, and related services.

3. **Vaccinated vs. Non-Vaccinated:** Why are vaccinated and non-vaccinated students/staff treated differently regarding required quarantines? Can we treat all the same and quarantine all close contacts the same way?

Under the Administrative Rules listed under #1 above, the District is required to report ALL close contacts to the health department, regardless of vaccination status. Based on applicable standards, the health department then determines who is required to quarantine. Because the decision to quarantine and the authority to do so rests only with the local health department, the school district has no authority to change the health department quarantine requirements.

Also, Public Act 399 of 2020 (effective December 29, 2020), amended Michigan’s COVID-19 Employment Rights Act and defines both “close contact” and “quarantine period” as they are defined and prescribed by the CDC’s guidelines for COVID-19 at the time the contact occurred. MCL 419.401(a),(k). These standards for Michigan employees are statutory and must be followed, including the quarantine duration.

4. **SEL – Lions Quest: Is our Social Emotional Learning (SEL) curriculum a state required curriculum?**

Our Social Emotional Learning (SEL) curriculum is not required by the State, but rather is a board-approved curriculum. The board approved Lions Quest, the District’s social emotional learning curriculum, a few years ago. This curriculum is covered by each classroom teacher in the elementary building and during our Academic Center (5th hour) in the 6-12 building. Lion’s Quest is used only 2 times per week during 5th hour in the 6-12 building; the other 3 days are either passing days (days to see other teachers for assistance with assignments) or homework time. Academic Center is graded on participation (student is working on assignments, reading, or participating in SEL lessons).

5. **Suicide Hotline Number on Student ID Cards:** Why is this Suicide Hotline number on student ID cards now?

Public Act 211 of 2020, known as the “Save Our Students Act”, requires all Michigan public schools to place the National Suicide Prevention Hotline telephone number on school-issued ID cards for students in grades 6-12. This Michigan statute went into effect on October 14, 2021.